

**JOINT CASE MANAGEMENT STATEMENT & PROPOSED ORDER**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DANIEL VILLALPANDO, individually and  
on behalf of all others similarly situated,

Plaintiff(s),

vs.

EXEL DIRECT INC., DEUTSCHE POST  
DHL, DHL EXPRESS (USA), INC., and  
DOES 1 to 50,

Defendant(s).

) Case Number: 12-cv-04137-JCS

) Case Number: 13-cv-03091-JCS

) JOINT CASE MANAGEMENT

) STATEMENT AND REQUEST TO

) CONTINUE CASE MANAGEMENT

) CONFERENCE; [~~PROPOSED~~] ORDER

The related *Villalpando v. Exel Direct Inc.*, No. 3:12-cv-04137-JCS, and *Shekur v. Exel Direct Inc.*, No. 4:13-cv-03091-JCS cases are putative class actions alleging violations of California wage and hour laws arising out of Defendants' classification of delivery drivers as independent contractors. On April 8, 2013, the Court scheduled a case management conference for August 23, 2013, in *Villalpando*, to allow the parties an opportunity to have a mediation before Mark Rudy before establishing a revised case management schedule. ECF No. 43. On August 8, 2013, the Court granted the parties' unopposed request to have the later-filed case of *Shekur*, designated as related to *Villalpando*, and reassigned to this Court. ECF No. 49. On August 13, 2013, the parties and counsel in both *Villalpando* and *Shekur* appeared for a mediation with Mark Rudy. The parties made progress, but did not resolve the matter at the mediation. With the assistance of Mr. Rudy, the parties agreed to continue their negotiations over a two-week period to determine if the case might be resolved before resuming formal

litigation. Accordingly, to avoid the possibility of expending resources of the Court and the parties in planning a litigation schedule before the parties determine whether a settlement at this stage is possible, the parties respectfully request that the Court grant a short continuance of the case management conference for two weeks or a date shortly thereafter that is convenient to the Court.

DATED: August 20, 2013

/s/ Andrew J. Butcher

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DATED: August 20, 2013

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DATED: August 20, 2013

/s/ Joshua G. Konecky

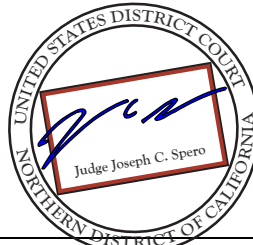
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CASE MANAGEMENT ORDER

Good cause shown, the Court hereby continues the Case Management Conference currently scheduled for August 23, 2013 at 1:30 p.m., to September 13, \_\_\_\_\_, 2013 at 1:30 [a.m.][p.m.]. A joint case management conference statement shall be filed by September 6 \_\_\_\_\_, 2013.

IT IS SO ORDERED.

Dated: 8/21/13



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JOSEPH C. SPERO  
UNITED STATES MAGISTRATE JUDGE

4825-5097-3717, v. 2